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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 WENDI MONTOYA,

12 Plaintiff,

13 v.

14 VOYA INSURANCE AND ANNUITY
15 COMPANY, VENERABLE INSURANCE
16 AND ANNUITY COMPANY, VOYA
17 RETIREMENT INSURANCE AND
18 ANNUITY COMPANY, VOYA
19 FINANCIAL PARTNERS LLC, VOYA
20 FINANCIAL ADVISORS, INC, VOYA
21 INSTITUTIONAL PLAN SERVICES LLC,
22 VOYA INSURANCE SOLUTIONS INC,
23 VOYA RETIREMENT ADVISORS, LLC,
 VOYA INVESTMENT MANAGEMENT
 CO LLC, VOYA SERVICES COMPANY,
 VOYA BENEFITS COMPANY LLC,
 FIDELITY INVESTMENTS
 INSTITUTIONAL OPERATIONS
 COMPANY LLC, FIDELITY
 DISTRIBUTORS COMPANY LLC,
 FIDELITY BROKERAGE SERVICES
 LLC,

Defendants.

CASE NO. 2:21-cv-00696-RAJ-BAT

**PROPOSED ORDER GRANTING
MOTION TO DISMISS OF
VENERABLE INSURANCE AND
ANNUITY COMPANY**

1 Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida,
2 United States Magistrate Judge, any objections or responses to that, and the remaining record,
3 the Court finds and **ORDERS**:

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- 5 (1) The Court **ADOPTS** the Report and Recommendation.
- 6 (2) Defendant Venerable Insurance and Annuity Company's Motion to Dismiss (Dkt.
7 30) is **GRANTED**; Plaintiff's First Amended Complaint is **DISMISSED with prejudice**.
- 8 (3) The Clerk is directed to send copies of this Order to the parties and to Judge
9 Tsuchida.

10 Dated this 11th day of January, 2022.

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14 The Honorable Richard A. Jones
United States District Judge